



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
POST OFFICE BOX 4970
JACKSONVILLE, FLORIDA 32232

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch
Jacksonville Permits Section

December 11, 2008

PUBLIC NOTICE

Permit Application SAJ-2008-4166 (SP-MRE)

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: City of St. Augustine
Attn: James Piggott
Director, General Services
P.O Box 210
St. Augustine, Florida 32085-0210

WATERWAY & LOCATION: The project would affect waters of the United States (traditional navigable waters) associated with the Matanzas River and Salt Run. The project sites are located west of Conch Island in waters of Salt Run; and, north and south of the Bridge of Lions in waters of the Matanzas River. The project sites extend over Sections 16 and 21 of Township 7 South, Range 30 East, St. Augustine, St. Johns County, Florida.

APPROXIMATE CENTRAL LATITUDE & LONGITUDE: Latitude 29.8961°
Longitude -81.2929°

PROJECT PURPOSE:

Basic: The basic project purpose is the establishment of municipally regulated marine vessel mooring fields.

Overall: The overall project purpose is the establishment of municipally regulated marine vessel mooring fields within the city limits of the City of St. Augustine.

EXISTING CONDITIONS: Salt Run is an estuarine system approximately 3 miles in length that flows north into Matanzas Bay. The Matanzas River is an estuarine system approximately 20 miles in length extending south from the St. Augustine inlet. The project sites encompass areas of tidal flat areas and live oyster beds. Neither emergent nor submerged aquatic vegetation has been identified within the proposed mooring fields.

PROPOSED WORK:

The applicant proposes to establish and designate a total of four mooring fields. Vessels utilizing these mooring fields would affect an approximate total of 70 acres of swing area (submerged land beneath the cumulative total swing radius associated with the mooring stations, based on an average for several vessel lengths and drafts).

The project would result in the construction of 178 mooring stations distributed between three distinct locations. One mooring field, consisting of two general areas, would be located within an extended section of Salt Run and would contain a total of 80 mooring sites. Another mooring field would be located south of the Bridge of Lions and support 70 mooring sites. Another mooring field would be located north of the Bridge of Lions and support 28 mooring sites.

AVOIDANCE AND MINIMIZATION INFORMATION: The applicant proposes to improve compliance with the Clean Vessel Act of 1992 and, as a result, improve water quality in the Matanzas River and Salt Run by regulating the mooring fields and offering such services as free pump-outs for all boats in the mooring fields. In addition the applicant plans to provide boating safety and environmental awareness education to the City's residents and visitors. The applicant has performed environmental resource and archeological surveys of the project area to document potential impacts to significant natural resources. The applicant has avoided potential significant impacts to natural and historic resources in the mooring field designs, and has proposed to use best management practices to minimize turbidity impacts along the shoreline during construction.

Compensatory Mitigation: The applicant has provided natural resource and archaeological survey results indicating no significant impacts to natural or historic resources in the project area. Therefore, the applicant has not proposed compensatory mitigation.

ENDANGERED SPECIES:

Since the mooring fields would accommodate vessels up to 60-feet in length, the U.S Army Corps of Engineers (Corps) has determined the proposal may affect the following species, as the project could attract large vessels that would utilize ocean waters and potentially strike swimming individuals of these species, the right whale (*Eubalaena glacialis*), green sea turtle (*Chelonia mydas*), loggerhead sea turtle (*Caretta caretta*), hawksbill sea turtle (*Eretmochelys imbricata*), kemp's ridley sea turtle (*Lepidochelys kempii*), leatherback sea turtle (*Dermochelys coriacea*), and shortnose sturgeon (*Acipenser brevirostrum*).

Since the mooring fields could increase vessel use of the Matanzas River, Salt Run, and other nearby waterways, the Corps has determined that the project may affect West Indian (Florida) Manatee (*Trichechus manatus*).

In consideration of these determinations, the Corps will request initiation of formal consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act by separate letter.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The project would not affect marine or estuarine habitat. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries. Our final determination relative to projects images and the need for mitigation measure is subject to review by and coordination with the National Marine Fisheries Service.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The Corps has not verified the extent of Federal jurisdiction.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 21 days from the date of this notice.

If you have any questions concerning this application, you may contact Mark R. Evans at the letterhead address, by electronic mail at mark.r.evans@usace.army.mil, by facsimile transmission at 904-232-1904, or by telephone at 904-232-2028.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated estuarine system.

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with US Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

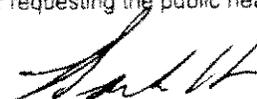
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible for inclusion therein, are located at the site of the proposed work. Presently, unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

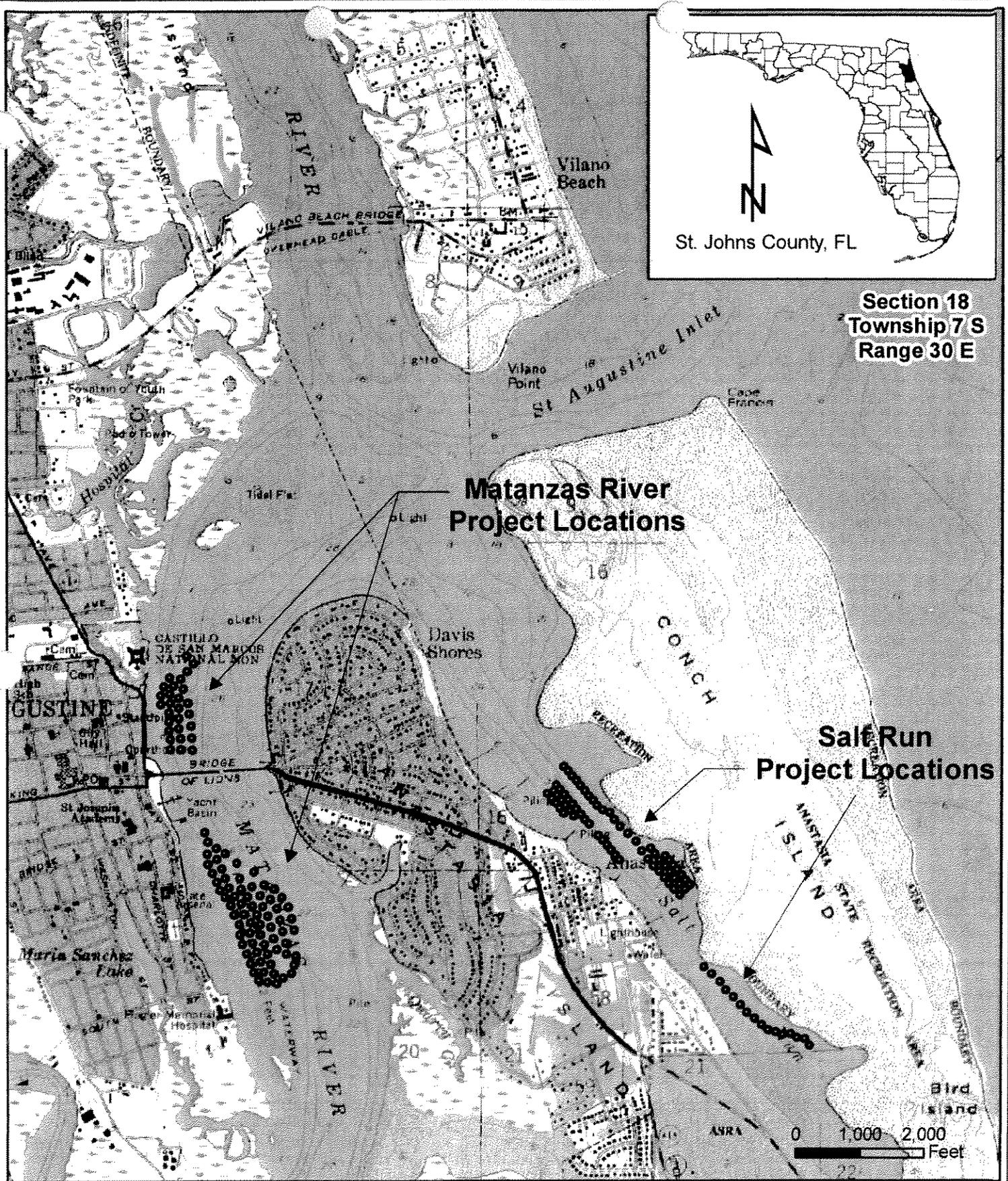
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof, among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


David S. Hobbie
Regulatory Division



U.S. ARMY CORPS OF ENGINEERS
SAJ-2008-4166(SP-MRE)
CITY OF ST AUGUSTINE
MOORING FIELDS
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FIGURE E1
PROJECT LOCATION
ST. AUGUSTINE MOORING FIELDS PROJECT
ST. JOHNS COUNTY, FL

PROJECT	C2006-055
DRAWN BY	AC
DATE	SEPT. 2008